

**MINUTES OF THE
LAKE COUNTY PLANNING COMMISSION**
December 19, 2006

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

In the absence of Chairman Brotzman, Vice-Chairman Siegel called the meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Messrs. Morse, Schaedlich, Siegel, Sines, Zondag, and Mmes. Hausch and Pesec. Staff present: Messrs. Webster, Radachy, and Ms. Truesdell.

MINUTES

In the fourth paragraph on page 5, replace the word joining with the word adjoining and the meaning of “densities” in the third paragraph on page 6 was questioned.

Ms. Hausch moved and Ms. Pesec seconded the motion to approve of the October, 2006 minutes as amended. No meeting was held in November due to lack of business.

Six voted “Aye.”
Mr. Sines abstained.

FINANCIAL REPORT

Mr. Schaedlich moved to approve the Financial Reports for October and November, 2006. Ms. Pesec seconded the motion.

All voted “Aye.”

Staff Benefits

Mr. Webster said that the staff benefits, including health, prescription, and retirement, are over \$1,000.00 in cost and require the approval of the Planning Commission.

Mr. Zondag moved and Mr. Schaedlich seconded the motion to approve the expense of staff benefits for the 2007 fiscal year.

All voted “Aye.”

Equipment Purchase

Mr. Webster requested approval to purchase a PowerPoint projector for \$1,150.00.

Ms. Hausch moved and Ms. Pesec seconded the motion to approve the purchase of the

powerpoint projector for \$1,150.00.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Ms. Nocero said that there were no legal issues to report.

DIRECTOR'S REPORT

Mr. Webster reported that the Madison Village and Madison Township Comprehensive plans are being written in cooperation with residents as is the North Perry Comprehensive Plan.

Richard Morse, formerly Steve Adams' alternate, has been selected by the Commissioners to replace Tom Fitzmaurice on the Planning Commission. The Commissioners also approved Walter Siegel's selection of James Toth to be his alternate.

SUBDIVISION REVIEW

Subdivision Activity Report

Mr. Radachy said that Villa Grande Estates, which is the private street section of Lake Erie Shores, will be recorded this coming week. Crossroads Subdivision of Summerwood, Phase I was recorded November 1st. Two subdivisions have filed for pre-application meetings in January.

Subdivision Activity Report

Mr. Radachy said that the following departments needed subdivision plans for the pre-application meeting: staff, Soil & Water, County Engineer, Township, and Sanitary Engineer or General Health District totaling five. This requirement was not included in the new pre-application process and he wanted the Board's approval to do so. This policy is set by the Planning Commission.

Mr. Schaedlich moved and Ms. Pesec seconded the motion to require five plans be submitted for the pre-application conference.

All voted "Aye".

LAND USE AND ZONING

There were no Land Use and Zoning cases submitted this month.

REPORTS OF SPECIAL COMMITTEES

Mr. Webster said the Coastal Plan Committee met on November 28th at Lake Erie College. They viewed the first version of a video being developed by the students at the Lakeland Community College Audio-Visual Department promoting the qualities of the Lake Erie shoreline.

Mr. Zondag asked about the status of the Lake County Port Authority and was informed that Dr. Morris Beverage, President of Lakeland Community College, has sent all the communities a letter asking for comments about the proposed Lake County Port Authority.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Nominating Committee for 2007

Mr. Siegel said that the Nominating Committee for new officers of the Planning Commission for 2007 consisted of himself, Ms. Hausch and Mr. Brotzman. Their meeting will take place 15 minutes prior to the January meeting and Mr. Brotzman will be Chairman.

Lake County Subdivision Regulation Changes: Personal Recreation and Agriculture Exemptions

Mr. Radachy said there is a new definition for Personal Recreation and Agriculture Exemptions. Under the new law of Ohio Revised Code 711.133, these exemptions are allowed for lot splits over 5 (five) acres and under 20 (twenty acres). Lots created with a subdivision plat is being changed so that a plat is needed to split the lot. This can be done under ORC 711.24. Most of the other changes would be needed for the plat. A preliminary plan would not be needed.

Mr. Radachy said that the Health District septic rules have been changed so our Subdivision Regulations must be changed accordingly. Under ORC 711.131, Lot Split, and ORC 711.133, Large Lots, we can deny lot splits because they cannot handle a septic system. The language is changed from “may be denied” to “will be denied” and changing “pre-approval” to “approval of sewage disposal systems”. The Health District does not want lot owners to drill a well. The new sanitary laws become effective January 1, 2007.

Mr. Radachy requested that a public hearing be scheduled for revisions to the Lake County Subdivision Regulations, Article III, Section 10B and addition of Article III, Section 10E in accordance with Sections 711.10 and 711.101 of the Ohio Revised Code.

Mr. Zondag moved and Mr. Schaedlach seconded the motion to hold a public hearing prior to the January 30, 2007, Planning Commission meeting about revisions to Article III, Section 10B and addition of Article III, Section 10E of the Lake County Subdivision Regulations.

All voted “Aye”.

Ms Pesec referred to the proposed Personal Recreation section and asked to have “significantly” defined.

Mr. Radachy said “significantly” means putting a structure onto the property. The point of Personal Recreation and Agriculture exemption is to allow someone to split out a lot over 5 acres and under 20 acres and exempting them from having pre-approval of the septic system.

The intent is to keep people from splitting the lot and selling it later to build on and then avoiding the septic rules. Although we cannot tell them what they can do with their property, what they decide to do will significantly alter their eligibility for septic approval. The changes in ORC 711.133 allow planning commissions, for the first time, to administer lot splits between 5 and 20 acres. Also included are Personal Recreation and Agricultural exemptions. The Agricultural exemption is meant for the nurserymen and farmers to split out the house their property is on from the agricultural area.

ADJOURN

Ms. Hausch moved and Mr. Sines seconded the motion to adjourn the meeting.

All voted "Aye".

The meeting adjourned at 7:25 p.m.

Timothy C. Brotzman, Chairman

Darrell C. Webster, Director/Secretary